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Filed 07/02/2007

%:JS 44 (Rev. 11/04) CIVIL COVER SHEET.

The JS 44 eivil, cover sheet and the information contained herein neither replace nor supplement (Ref) Manual Striple of Bleadings or other process is in received by late, except as provided

by local rules of court. This for the civil docket sheet. (SEB IN	nn, epproved by the Judicial Chalerence of the Unite STRUCTIONS ON THE REVERSE OF THE FORM.)	d States in September 1974,	required for the use of the electron	Court for the purpose of initiating	
J. (a) PLAINTIFFS		DEFENDAN	DEFENDANTS		
David Allen and Ashlee A for Xavier Allen, an infan	llen, Individually and as Guardians ad Li t	tem Robert's Ame	Robert's American Gourmet Food, Inc.		
(b) County of Residence	of First Listed Plaintiff	County of Resides	nce of Pirst Listed Defendant		
(IS	XCEPT IN U.S. PLAINTIFF CASSS)	NOTE:	ARAJ HIŠ SESIO	ONLY) SE THE LOCATION OF THE	
(e) Attorney's (Firm Name,	Address, and Telephone Number)	Altomeys (If Kno	15n)		
	e, Seattle,WA 98104 (206) 346-1888; B&L Place,Rochester, NY 14604 (585)2;	58-2800	BOYLE, M	j.J.	
II. BASIS OF JURISD	ICTION (Place an "X" in One Bex Only)		F PRINCIPAL PARTIES	(Place on "X" in One Box for Plaintiff	
U.S. Government Plaintiff	☐ 3 Federal Question (C.S. Government Not a Party)	(For Diversity Cases Of Citizen of This State	PTF DEF .		
□ 2 U.S. Government	₩ 4 Diversity	Citizen of Another State	RI 2		
Defendant .	(Indicate Citizenship of Parties in Item III)	Citizen or Subject of a	O 3 O 3 Paresign Netion	Ancosa state □ 6 门 6	
IV. NATURE OF SUIT	F. (Marrier Des Peri Cella)	Foreign Country			
CONTRACT	TORTS	FORFEITURE/PENALTY		OTHER STATUTES	
☐ 110 histratec ☐ 120 Marine	PERSONAL INJURY PERSONAL INJURY D 362 Personal Injury	- D 620 Other Food & Drug		400 State Reapportionment 410 Autitrust 430 Danks and Banking	
☐ 130 Miller Act ☐ 140 Negotinble Instrument	☐ 315 Airplane Product Mod. Malprastice Eliability	 of Property 21 USC 	861	☐ 450 Cocrameros	
□ 150 Recovery of Overpayment & Enfrequency of Judgment	☐ 320 Asseult, Libel & Product Liability Slander ☐ 368 Asbestes Person	O 630 Liquer Laws at O 640 R.R. & Truck	PROPERTY RIGHTS 7 820 Copyrights	3 460 Deportation 5 470 Racketser Influenced and	
[] [5] Medicare Act	☐ 350 ruderal Employers' Injuty Product	D 650 Airline Regs.	71 830 Patent 71 840 Trademark	Corrupt Organizations 3 480 Consumer Credit	
7)52 Recovery of Default61 Student Lones	Liability Liability C) 340 Marine PERSONAL PROPER	T 660 Occupational TY Safety/Health	13 AND LIMBERIANC	1 490 Cable/Sar TV	
(Exc2. Veterans) D 153 Recovery of Overpayment	D 345 Marine Product D 370 Other Fraud Liability D 371 Truth in Lending	(7 690 Other EABOR	SOCIAL SECURITY	3 8t0 Selective Service 3 850 Securities/Commodities/	
of Veteran's Bonefils	350 Motor Vehicle 7 380 Other Personal	710 Fair Lahor Standard	s 🗇 861 HIA (1395ff)	Exchange	
□ 160 Stockholders' Suits □ 190 Other Contract	☐ 355 Motor Vehicle Property Damage Product Liability ☐ 385 Property Damage		☐ 862 Black Long (923) ens ☐ 863 DIWC/DIWW (405(g))	☐ 875 Custemer Challenge 12 USC 3410	
 195 Contract Product Liability 195 Franchise 	360 Other Personal Product Linbility lajury	П 730 Labor/Mgmt.Report & Disclosure Act	ing □ 864 SSID Tide XVI □ 865 RSI (405(g))	 90 Other Statistory Actions 891 Agricultural Acta 	
REAL PROPERTY	CIVIL RIGHTS PRISONER PETITIO	NS 740 Railway Labor Act	FEDERAL TAX SUITS	🗇 🤁 892 Bonnumio Stabilization Act	
D 216 Land Condendration D 220 Foreclosure	441 Voting	(e 790 Other Labor Litigati 791 Empl. Ret. Inc.	ion D 870 Taxes (U.S. Plaintiff or Defendant)	893 Environmental Matters 894 Energy Allocation Act	
250 Ront Losso & Ejectment	☐ 443 Housing/ Habeas Corpus:	Security Act	D 871 IRS—Third Party	Ø 895 Freedom of Information	
☐ 240 Torts to Lund ☐ 245 Tort Product Liability	Accommodations		26 NSC 7609	Act 900Appeal of Fee Determination	
13 290 All Other Real Property	1 445 Amer. w/Disabilities - D 540 Mandamus & Oc	ther		Under Equal Access	
	Employment	,		10 Austice 5 950 Constitutionality of	
	Other Other Civil Rights	`		State Stanates	
·	an "X" in One Box Only)		Transferred from	Appeal to District	
	temoved from G 3 Remanded from tate Court Appellate Court	Reinstated or 📉 🦪 a	Transferred from	riot 'Magistrate	
710400.00	City the U.S. Civil Statute under which you o				
VI. CAUSE OF ACTIO	ON Brief description of cause: DEF manufactured contaminated s			FF causing illness	
VII. REQUESTED IN COMPLAINT:	CHECK IF THIS IS A CLASS ACTIO			if demanded in complaint:	
VIII. RELATED CASS	E(S) (See instructions): JUDGE	<u></u>	DOCKET NUMBER	•	
	\sim	TTODARY OF DECOME	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~		
латв 07/02/2007	I Aud	TORNEY OF RECORD	PN 2853		
FOR OFFICE USE ONLY	12 (2- 4		NIOA	CAR	
RECEIPT#A	APPLYING OVER TRUDOM	3000	66 <u>NGG</u> MAGJUI	DGE <u>7 1</u>	
			2661		

ARBITRATION CERTIFICATION

I,, constantify pursuant to the Local Arbitration Rule 83. recoverable in the above captioned civil action example Relief other than monetary dama	nsel fordo hereby 10 that to the best of my knowledge and belief the damages sceed the sum of \$150,000 exclusive of interest and costs. tiges is sought.
DISCLOSURE STATEMENT	- FEDERAL RULES CIVIL PROCEDURE 7.1
	held corporation that owns 10% or more or its stocks:
Please refer to NY-E Division of Business Rule	: 50.1(d)(2)
1.) Is the civil action being filed in the Eastern Di in Nassau or Suffolk County: <u>No</u>	istrict of New York removed from a New York State court located
2.) If you answered "no" above:	
a.) Did the events or omissions giving rise to or Suffolk County? Yes	the claim or claims, or a substantial part thereof, occur in Nassau
 b.) Did the events or omissions giving rise to Eastern District? Yes 	the claim or claims, or a substantial part thereof, occur in the
one) reside in Nassau or Suffolk County, or, in as	a defendant (or a majority of the defendants, if there is more than interpleader action, does the claimant (or a majority of the ssau or Suffolk County?
(Note: A corporation shall be considered a re-	esident of the County in which it has the most significant contacts).
I am currently admitted in the Eastern Distric bar of this court.	ct of New York and currently a member in good standing of the
Yes	No
Are you currently the subject of any disciplina	ary action(s) in this or any other state or federal court?
Yes(If yes, please explain)	No <u>√</u>
name and the last four digits of your social secur with the Clerk of Court. (This information must be provided pursuant to I ATTORNEY BAR CODE: PN2853 E-MAIL Address: pnunes@underbergkessl	er.com es adopted by the Court in Administrative Order No. 97-12, "In ret to the electronic service of all papers.
Mul V.	Munes